



General Assembly

Amendment

January Session, 2013

LCO No. 6146

SB0059706146SD0

Offered by:

SEN. CRISCO, 17th Dist.

REP. MEGNA, 97th Dist.

To: Senate Bill No. **597**

File No. 4

Cal. No. 39

"AN ACT CONCERNING PORTABLE ELECTRONICS INSURANCE."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective October 1, 2013*) (a) As used in this
4 section:

5 (1) "Portable electronics insurance" means insurance coverage for
6 the repair or replacement of a portable electronic device because of
7 loss, theft, inoperability due to mechanical failure, malfunction,
8 damage or other similar causes of loss. "Portable electronics insurance"
9 does not include (A) an extended warranty, as defined in section 42-
10 260 of the general statutes, as amended by this act, (B) an insurance
11 policy covering a seller's or manufacturer's obligations under a
12 warranty, or (C) a homeowners, renter's or other insurance policy that
13 includes coverage similar to portable electronics insurance;

14 (2) "Portable electronic device" means any self-contained, easily
15 carried, battery-operated electronic equipment for personal use for
16 communicating, viewing, listening, recording, playing video games,
17 computing or global positioning, including a cellular or satellite
18 telephone, paging device, personal global positioning system unit,
19 portable computer, audio listening or audio recording device, video
20 viewing or video recording device, digital camera, portable video
21 game system, telephone answering machine, docking or charging
22 station for any portable electronic device, and other similar device.
23 "Portable electronic device" includes accessories for and services
24 related to the use of such devices;

25 (3) "Buyer" means a person who leases or purchases a portable
26 electronic device;

27 (4) "Enrolled buyer" means a buyer who elects coverage under a
28 portable electronics insurance policy;

29 (5) "Insurance producer" has the same meaning as provided in
30 section 38a-702a of the general statutes;

31 (6) "Insurer" has the same meaning as provided in section 38a-1 of
32 the general statutes;

33 (7) "Location" means any physical location in this state or any
34 Internet web site or call center site directed at residents of this state;

35 (8) "Portable electronics transaction" means the lease or sale of a
36 portable electronic device by a seller to a buyer;

37 (9) "Seller" means a person in the business of direct or indirect
38 portable electronics transactions;

39 (10) "Supervising entity" means a business entity licensed as an
40 insurer in this state and authorized to write personal or commercial
41 risk insurance business in this state or an insurance producer licensed
42 in this state, appointed by an insurer to supervise such insurer's

43 portable electronics insurance program.

44 (b) (1) No seller shall offer or sell portable electronics insurance in
45 this state without obtaining a portable electronics insurance license
46 from the Insurance Commissioner as set forth in this subsection. Such
47 license shall authorize any employee or authorized representative of
48 such seller to offer or sell portable electronics insurance at each
49 location where the seller engages in portable electronics transactions.

50 (2) No such employee or authorized representative shall be required
51 to be licensed under chapter 701a of the general statutes, provided:

52 (A) The seller obtains and maintains such portable electronics
53 insurance license;

54 (B) The insurer issuing a portable electronics insurance policy to the
55 seller or a supervising entity of such insurer supervises the
56 administration of the seller's portable electronics insurance program;
57 and

58 (C) No such employee or authorized representative holds himself or
59 herself out as a licensed insurance producer.

60 (3) (A) (i) Any seller seeking to obtain a portable electronics
61 insurance license shall submit an initial sworn application to the
62 Insurance Department on a form prescribed by the Insurance
63 Commissioner. Such application shall include (I) the name, residence
64 address and other information as said commissioner may require for
65 an employee or an officer of the seller that is designated by such seller
66 as the individual responsible for the seller's compliance with this
67 section. If the seller derives more than fifty per cent of its revenue from
68 the sale of portable electronics insurance, the seller shall include the
69 name, residence address and other information as said commissioner
70 may require for all of the seller's shareholders who are directly or
71 indirectly the beneficial owner of ten per cent or more of any class of
72 security of such seller, and for all of its officers and directors, and (II)
73 the address of the applicant's home office. Such application shall be

74 accompanied by the fees set forth in section 38a-11 of the general
75 statutes, as amended by this act. Each portable electronics insurance
76 license shall be valid for two years.

77 (ii) Any seller seeking to renew a portable electronics insurance
78 license shall submit to the Insurance Department any changes to the
79 initial application and any other information the Insurance
80 Commissioner may require and the renewal fee set forth in section 38a-
81 11 of the general statutes, as amended by this act.

82 (B) Any seller offering or selling portable electronics insurance in
83 this state prior to October 1, 2013, shall apply for a portable electronics
84 insurance license not later than ninety days after the Insurance
85 Commissioner makes the application for such license available. On
86 and after October 1, 2013, a seller seeking to offer or sell portable
87 electronics insurance in this state shall obtain such license prior to
88 offering or selling such insurance in this state.

89 (c) At each location where a seller offers or sells portable electronics
90 insurance to buyers, such seller shall make available to prospective
91 buyers brochures or other written materials that contain all of the
92 following:

93 (1) A disclosure that portable electronics insurance may duplicate
94 insurance coverage already provided by a buyer's homeowners,
95 renter's or other insurance policy;

96 (2) A statement that enrollment in portable electronics insurance is
97 not required for a buyer to lease or purchase a portable electronics
98 device;

99 (3) (A) The identity of the insurer issuing the portable electronics
100 insurance policy, (B) the identity of the supervising entity of such
101 insurer, if any, (C) the amount of any applicable deductible and a
102 summary of how such deductible is to be paid, (D) a summary of the
103 insurance policy benefits, and (E) a summary of key terms and
104 conditions of such insurance policy, including, but not limited to,

105 whether, under such insurance policy, portable electronic devices may
106 be repaired or replaced with similar make and model reconditioned or
107 nonoriginal manufacturer parts or equipment;

108 (4) A summary of the process for filing a claim, including a
109 description of how to return portable electronic devices and the
110 maximum fee applicable if the buyer fails to comply with any
111 equipment return requirements; and

112 (5) A statement that a buyer enrolled in a portable electronics
113 insurance policy may cancel the insurance certificate at any time and
114 that the person paying the premium will receive a refund of or a credit
115 for any applicable unearned premium.

116 (d) (1) If portable electronics insurance is included at no additional
117 charge with the lease or purchase of a portable electronic device, the
118 seller shall clearly and conspicuously disclose to the buyer that such
119 insurance is included at no additional charge with the lease or
120 purchase of a portable electronic device.

121 (2) A seller may bill for and collect premium payments for portable
122 electronics insurance policies, provided:

123 (A) Any premium payment that is not included in the cost of the
124 lease or purchase of a portable electronic device is itemized separately
125 on the enrolled buyer's invoice; and

126 (B) The seller remits such premium payment to the insurer issuing
127 such insurance policy not later than sixty days after the seller receives
128 such payment. Such insurer shall not cancel an enrolled buyer's
129 certificate on the basis of nonpayment of premium if such enrolled
130 buyer timely pays such premium to the seller.

131 (3) A seller shall not be required to maintain premium payments
132 collected pursuant to this subsection in a segregated account if such
133 insurer authorizes the seller to commingle such payments. All such
134 premium payments collected shall be held by the seller in a fiduciary

135 capacity for the benefit of such insurer.

136 (4) A seller may receive compensation from such insurer for such
137 billing and collection services, as agreed to by such insurer and such
138 seller.

139 (e) (1) A portable electronics insurance policy shall not be issued,
140 sold or offered for sale unless such insurance policy is issued by an
141 insurer authorized to write such line of business in this state. Such
142 insurance policy may be issued as a group policy or a master
143 commercial inland marine policy to a seller for its enrolled buyers. An
144 insurer authorized to issue a portable electronics insurance policy in
145 this state shall file a copy of the form for such policy in accordance
146 with subsection (c) of section 38a-676 of the general statutes, as
147 amended by this act.

148 (2) An insurer that issues portable electronics insurance policies and
149 does not directly supervise the administration of a seller's portable
150 electronics insurance program shall appoint a supervising entity and
151 shall provide the name and contact information of such supervising
152 entity to the Insurance Commissioner and to any seller that offers or
153 sells such insurance policy to buyers.

154 (3) The supervising entity shall maintain a registry of seller locations
155 in this state that are authorized to offer or sell such insurer's portable
156 electronics insurance policies in this state. Upon request by the
157 Insurance Commissioner with at least ten days' notice, such
158 supervising entity shall make such registry available during the
159 regular business hours of such supervising entity to said commissioner
160 or said commissioner's designee for inspection and examination.

161 (f) (1) An enrolled buyer may cancel a portable electronics insurance
162 certificate at any time. Such cancellation may be (A) oral to the seller at
163 the location where such enrolled buyer elected such coverage or a
164 telephone number specified for such purpose, or (B) in writing, which
165 writing shall be sent by United States mail or electronic means to (i) the

insurer that issued such insurance policy if such enrolled buyer pays the premium to such insurer, or (ii) the seller if such seller collects the premium payment for such insurance policy. Not later than three days after a seller receives a cancellation, such seller shall notify, or forward such cancellation to, the supervising entity or the insurer that issued such insurance policy if such insurer has not appointed a supervising entity. The supervising entity shall notify, or forward such cancellation to, the insurer that issued such insurance policy. Such insurer shall refund or arrange for credit to be provided, not later than sixty days after receiving such notice or cancellation, to the person who paid the premium any applicable unearned premium.

(2) (A) An insurer may cancel, terminate or change the terms and conditions of a portable electronics insurance policy only upon providing at least thirty days' written notice, sent by United States mail or electronic means, to the seller policyholder and enrolled buyers. If the insurer changes the terms and conditions of such insurance policy, such insurer shall provide the seller policyholder with a revised insurance policy or endorsement and each enrolled buyer with a revised certificate, endorsement, updated brochure or other materials that indicate a change in the terms and conditions of such insurance policy and a summary of the material changes.

(B) An insurer may cancel, with at least fifteen days' written notice, sent by United States mail or electronic means to the seller policyholder and enrolled buyers:

(i) A portable electronics insurance policy for nonpayment of premium by the seller policyholder or a portable electronics insurance certificate for nonpayment of premium by an enrolled buyer. Such seller policyholder or enrolled buyer may continue the coverage and avoid the effect of the cancellation by payment in full at any time prior to the effective date of cancellation. If an enrolled buyer timely made a payment to the seller pursuant to subdivision (2) of subsection (d) of this section, such insurer shall not cancel such enrolled buyer's certificate for nonpayment of premium; or

199 (ii) A portable electronics insurance certificate for fraud or material
200 misrepresentation by the enrolled buyer in obtaining such insurance
201 coverage or in the presenting of a claim thereunder.

202 (C) An insurer may cancel a portable electronics insurance
203 certificate, effective immediately, (i) if an enrolled buyer ceases to have
204 an active service with the seller, or (ii) for exhaustion of the aggregate
205 limit of liability, if any, of such insurance coverage, provided the
206 insurer sends written notice of such cancellation by United States mail
207 or electronic means to such enrolled buyer not later than thirty days
208 after such buyer exhausts such limit. If such notice is not timely sent,
209 coverage shall continue notwithstanding the aggregate limit of liability
210 until the insurer sends such notice of cancellation to such enrolled
211 buyer.

212 (3) A seller may terminate a portable electronics insurance policy at
213 any time, provided such seller provides at least thirty days' written
214 notice prior to such termination, by United States mail or electronic
215 means, to the insurer issuing such insurance policy or to the
216 supervising entity of such insurer and to each enrolled buyer, of such
217 termination and the effective date of such termination.

218 (4) (A) Any written notices or correspondence sent pursuant to this
219 subsection or otherwise required by law shall be sent to, as applicable,
220 (i) the enrolled buyer at such enrolled buyer's last-known mailing
221 address or electronic mail address on file with the insurer or the seller,
222 (ii) the insurer at such insurer's mailing address or electronic mail
223 address specified for such purpose, or (iii) the seller at such seller's
224 mailing address or electronic mail address specified for such purpose.
225 For purposes of this subsection, the provision of an enrolled buyer's
226 electronic mail address by such enrolled buyer to the insurer or the
227 seller shall be deemed consent by such enrolled buyer to receive such
228 notices or correspondence by electronic mail.

229 (B) Each insurer or seller that sends a written notice or
230 correspondence pursuant to this subsection shall maintain proof that

231 such notice or correspondence was sent for not less than three years
232 after such notice or correspondence was sent.

233 (C) A supervising entity may send a written notice or
234 correspondence pursuant to this subsection on behalf of the insurer or
235 a seller for which the insurer has issued a portable electronics
236 insurance policy. Such supervising entity shall maintain proof that
237 such notice or correspondence was sent for not less than three years
238 after such notice or correspondence was sent.

239 (g) The Insurance Commissioner may:

240 (1) Refuse to renew, for cause, after notice and hearing, a portable
241 electronics insurance license. Any person aggrieved by the action of
242 the commissioner in disapproving or refusing to renew a portable
243 electronics license may appeal therefrom in accordance with the
244 provisions of section 4-183 of the general statutes, except venue for
245 such appeal shall be in the judicial district of New Britain; and

246 (2) Suspend or revoke a portable electronics insurance license and
247 impose a fine in addition to or in lieu of suspension or revocation, in
248 accordance with section 38a-774 of the general statutes. In addition, in
249 lieu of suspension or revocation, the commissioner may issue a cease
250 and desist order suspending the privilege of offering or selling
251 portable electronics insurance at specific locations of a seller or by
252 specific employees or authorized representatives of such seller.

253 Sec. 2. Section 38a-792 of the general statutes is repealed and the
254 following is substituted in lieu thereof (*Effective October 1, 2013*):

255 (a) (1) No person may act as an adjuster of casualty claims for any
256 insurance company or firm or corporation engaged in the adjustment
257 of casualty claims unless such person has first secured a license from
258 the commissioner, and has paid the license fee specified in section
259 38a-11, as amended by this act, for each two-year period or fraction
260 thereof. Application for such license shall be made as provided in
261 section 38a-769, as amended by this act. [The commissioner may waive

262 the requirement for examination in the case of any applicant for a
263 casualty claims adjuster's license who is a nonresident of this state and
264 who holds an equivalent license from any other state.] Any such
265 license issued by the commissioner shall be in force until the thirtieth
266 day of June in each odd-numbered year unless sooner revoked or
267 suspended. The [license] person may, [in] at the discretion of the
268 commissioner, [be renewed] renew the license biennially upon
269 payment of the fee specified in section 38a-11, as amended by this act.
270 [The commissioner may waive the examination required under section
271 38a-769, in the case of an applicant who at any time within two years
272 next preceding the date of application has been licensed in this state
273 under a license of the same type as the license applied for.]

274 (2) The commissioner may waive the examination required under
275 section 38a-769, in the case of any applicant for a casualty claims
276 adjuster's license that (A) is a nonresident of this state or has its
277 principal place of business in another state, and holds an equivalent
278 license from any other state, or (B) at any time within two years next
279 preceding the date of application has been licensed in this state under
280 a license of the same type as the license applied for.

281 (b) The commissioner may prescribe reasonable regulations, in
282 accordance with the provisions of chapter 54, governing the licensing
283 of casualty claims adjusters and the adjustment of casualty claims.

284 (c) Any person who violates any provision of this section shall be
285 fined not more than two thousand dollars or imprisoned not more
286 than one year or both.

287 (d) The provisions of this section shall not apply to any: [member]

288 (1) (A) Individual who, for purposes of claims for portable
289 electronics insurance, as defined in section 1 of this act, only (i) collects
290 claim information from or furnishes claim information to insureds or
291 claimants, and (ii) conducts data entry, including data entry into an
292 automated claims adjudication system, provided (I) such individual is

293 an employee of a casualty insurance company licensed in this state, an
294 employee of a casualty claims adjuster licensed in this state or an
295 employee of an affiliate of such insurance company or adjuster, and
296 (II) not more than twenty-five such individuals are under the
297 supervision of a casualty claims adjuster licensed in this state or an
298 insurance producer who adjusts portable electronics insurance claims
299 and is licensed in this state. A licensed insurance producer who adjusts
300 portable electronics insurance claims or supervises individuals
301 pursuant to this subparagraph shall not be required to be licensed as a
302 casualty claims adjuster.

303 (B) For purposes of this subdivision, "automated claims adjudication
304 system" means a preprogrammed computer system, designed for the
305 collection, data entry, calculation and final resolution of portable
306 electronics insurance claims, that (i) is used only by a supervised
307 individual, a casualty claims adjuster licensed in this state or an
308 insurance producer licensed in this state, in accordance with
309 subparagraph (A) of this subdivision, (ii) complies with all applicable
310 claims payment requirements under this title, and (iii) is certified as
311 complying with the provisions of this subdivision by a licensed
312 casualty claims adjuster who is an officer of a business entity licensed
313 in this state as a casualty claims adjuster; or

314 (2) Member of the bar of this state in good standing who is engaged
315 in the general practice of the law.

316 Sec. 3. Subsection (a) of section 38a-11 of the general statutes is
317 repealed and the following is substituted in lieu thereof (*Effective*
318 *October 1, 2013*):

319 (a) The commissioner shall demand and receive the following fees:
320 (1) For the annual fee for each license issued to a domestic insurance
321 company, two hundred dollars; (2) for receiving and filing annual
322 reports of domestic insurance companies, fifty dollars; (3) for filing all
323 documents prerequisite to the issuance of a license to an insurance
324 company, two hundred twenty dollars, except that the fee for such

325 filings by any health care center, as defined in section 38a-175, shall be
326 one thousand three hundred fifty dollars; (4) for filing any additional
327 paper required by law, thirty dollars; (5) for each certificate of
328 valuation, organization, reciprocity or compliance, forty dollars; (6) for
329 each certified copy of a license to a company, forty dollars; (7) for each
330 certified copy of a report or certificate of condition of a company to be
331 filed in any other state, forty dollars; (8) for amending a certificate of
332 authority, two hundred dollars; (9) for each license issued to a rating
333 organization, two hundred dollars. In addition, insurance companies
334 shall pay any fees imposed under section 12-211; (10) a filing fee of
335 fifty dollars for each initial application for a license made pursuant to
336 section 38a-769; (11) with respect to insurance agents' appointments:
337 (A) A filing fee of fifty dollars for each request for any agent
338 appointment, except that no filing fee shall be payable for a request for
339 agent appointment by an insurance company domiciled in a state or
340 foreign country which does not require any filing fee for a request for
341 agent appointment for a Connecticut insurance company; (B) a fee of
342 one hundred dollars for each appointment issued to an agent of a
343 domestic insurance company or for each appointment continued; and
344 (C) a fee of eighty dollars for each appointment issued to an agent of
345 any other insurance company or for each appointment continued,
346 except that (i) no fee shall be payable for an appointment issued to an
347 agent of an insurance company domiciled in a state or foreign country
348 which does not require any fee for an appointment issued to an agent
349 of a Connecticut insurance company, and (ii) the fee shall be twenty
350 dollars for each appointment issued or continued to an agent of an
351 insurance company domiciled in a state or foreign country with a
352 premium tax rate below Connecticut's premium tax rate; (12) with
353 respect to insurance producers: (A) An examination fee of fifteen
354 dollars for each examination taken, except when a testing service is
355 used, the testing service shall pay a fee of fifteen dollars to the
356 commissioner for each examination taken by an applicant; (B) a fee of
357 eighty dollars for each license issued; (C) a fee of eighty dollars per
358 year, or any portion thereof, for each license renewed; and (D) a fee of
359 eighty dollars for any license renewed under the transitional process

360 established in section 38a-784; (13) with respect to public adjusters: (A)
361 An examination fee of fifteen dollars for each examination taken,
362 except when a testing service is used, the testing service shall pay a fee
363 of fifteen dollars to the commissioner for each examination taken by an
364 applicant; and (B) a fee of two hundred fifty dollars for each license
365 issued or renewed; (14) with respect to casualty claims adjusters: (A)
366 An examination fee of twenty dollars for each examination taken,
367 except when a testing service is used, the testing service shall pay a fee
368 of twenty dollars to the commissioner for each examination taken by
369 an applicant; (B) a fee of eighty dollars for each license issued or
370 renewed; and (C) the expense of any examination administered
371 outside the state shall be the responsibility of the entity making the
372 request and such entity shall pay to the commissioner two hundred
373 dollars for such examination and the actual traveling expenses of the
374 examination administrator to administer such examination; (15) with
375 respect to motor vehicle physical damage appraisers: (A) An
376 examination fee of eighty dollars for each examination taken, except
377 when a testing service is used, the testing service shall pay a fee of
378 eighty dollars to the commissioner for each examination taken by an
379 applicant; (B) a fee of eighty dollars for each license issued or renewed;
380 and (C) the expense of any examination administered outside the state
381 shall be the responsibility of the entity making the request and such
382 entity shall pay to the commissioner two hundred dollars for such
383 examination and the actual traveling expenses of the examination
384 administrator to administer such examination; (16) with respect to
385 certified insurance consultants: (A) An examination fee of twenty-six
386 dollars for each examination taken, except when a testing service is
387 used, the testing service shall pay a fee of twenty-six dollars to the
388 commissioner for each examination taken by an applicant; (B) a fee of
389 two hundred fifty dollars for each license issued; and (C) a fee of two
390 hundred fifty dollars for each license renewed; (17) with respect to
391 surplus lines brokers: (A) An examination fee of twenty dollars for
392 each examination taken, except when a testing service is used, the
393 testing service shall pay a fee of twenty dollars to the commissioner for
394 each examination taken by an applicant; and (B) a fee of six hundred

395 twenty-five dollars for each license issued or renewed; (18) with
396 respect to fraternal agents, a fee of eighty dollars for each license
397 issued or renewed; (19) a fee of twenty-six dollars for each license
398 certificate requested, whether or not a license has been issued; (20)
399 with respect to domestic and foreign benefit societies shall pay: (A) For
400 service of process, fifty dollars for each person or insurer to be served;
401 (B) for filing a certified copy of its charter or articles of association,
402 fifteen dollars; (C) for filing the annual report, twenty dollars; and (D)
403 for filing any additional paper required by law, fifteen dollars; (21)
404 with respect to foreign benefit societies: (A) For each certificate of
405 organization or compliance, fifteen dollars; (B) for each certified copy
406 of permit, fifteen dollars; and (C) for each copy of a report or certificate
407 of condition of a society to be filed in any other state, fifteen dollars;
408 (22) with respect to reinsurance intermediaries, a fee of six hundred
409 twenty-five dollars for each license issued or renewed; (23) with
410 respect to life settlement providers: (A) A filing fee of twenty-six
411 dollars for each initial application for a license made pursuant to
412 section 38a-465a; and (B) a fee of forty dollars for each license issued or
413 renewed; (24) with respect to life settlement brokers: (A) A filing fee of
414 twenty-six dollars for each initial application for a license made
415 pursuant to section 38a-465a; and (B) a fee of forty dollars for each
416 license issued or renewed; (25) with respect to preferred provider
417 networks, a fee of two thousand seven hundred fifty dollars for each
418 license issued or renewed; (26) with respect to rental companies, as
419 defined in section 38a-799, a fee of eighty dollars for each permit
420 issued or renewed; (27) with respect to medical discount plan
421 organizations licensed under section 38a-479rr, a fee of six hundred
422 twenty-five dollars for each license issued or renewed; (28) with
423 respect to pharmacy benefits managers, an application fee of one
424 hundred dollars for each registration issued or renewed; (29) with
425 respect to captive insurance companies, as defined in section 38a-91aa,
426 a fee of three hundred seventy-five dollars for each license issued or
427 renewed; (30) with respect to each duplicate license issued a fee of fifty
428 dollars for each license issued; (31) with respect to surety bail bond
429 agents, as defined in section 38a-660, (A) a filing fee of one hundred

430 fifty dollars for each initial application for a license, and (B) a fee of one
431 hundred dollars for each license issued or renewed; [and] (32) with
432 respect to third-party administrators, as defined in section 38a-720, (A)
433 a fee of five hundred dollars for each license issued, (B) a fee of three
434 hundred fifty dollars for each license renewed, and (C) a fee of one
435 hundred dollars for each annual report filed pursuant to section 38a-
436 720/; (33) with respect to portable electronics insurance licenses under
437 section 1 of this act, (A) a filing fee of one hundred dollars for each
438 initial application for a license, (B) a fee of five hundred dollars for
439 each license issued, and (C) a fee of four hundred fifty dollars for each
440 license renewed.

441 Sec. 4. Subdivision (1) of subsection (a) of section 42-260 of the
442 general statutes is repealed and the following is substituted in lieu
443 thereof (*Effective October 1, 2013*):

444 (1) "Extended warranty" means a contract or agreement to either
445 perform or provide indemnification for the repair, replacement or
446 maintenance of a product because of operational or structural failure of
447 such product due to a defect in materials, skill or workmanship or
448 normal wear and tear given for consideration over and above the lease
449 or purchase price of a product. "Extended warranty" does not include
450 portable electronics insurance, as defined in section 1 of this act.

451 Sec. 5. Subsection (c) of section 38a-676 of the general statutes is
452 repealed and the following is substituted in lieu thereof (*Effective*
453 *October 1, 2013*):

454 (c) The form of any insurance policy or contract (1) the rates for
455 which are subject to the provisions of sections 38a-663 to 38a-696,
456 inclusive, other than fidelity, surety or guaranty bonds, or (2) subject to
457 section 1 of this act, and the form of any endorsement modifying such
458 insurance policy or contract under subdivision (1) or (2) of this
459 subsection, shall be filed with the Insurance Commissioner prior to its
460 issuance. The commissioner shall adopt regulations, in accordance
461 with the provisions of chapter 54, establishing a procedure for review

462 of such policy or contract. If at any time the commissioner finds that
 463 any such policy, contract or endorsement is not in accordance with
 464 such provisions or any other provision of law, the commissioner shall
 465 issue an order disapproving the issuance of such form and stating the
 466 reasons for disapproval. The provisions of section 38a-19 shall apply to
 467 any such order issued by the commissioner."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2013</i>	New section
Sec. 2	<i>October 1, 2013</i>	38a-792
Sec. 3	<i>October 1, 2013</i>	38a-11(a)
Sec. 4	<i>October 1, 2013</i>	42-260(a)(1)
Sec. 5	<i>October 1, 2013</i>	38a-676(c)